

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

|                               |   |                                    |
|-------------------------------|---|------------------------------------|
| SEAGEN INC.,                  | § |                                    |
|                               | § |                                    |
| <i>Plaintiff,</i>             | § |                                    |
|                               | § |                                    |
| v.                            | § | CIVIL ACTION NO. 2:20-CV-00337-JRG |
|                               | § |                                    |
| DAIICHI SANKYO CO., LTD.,     | § |                                    |
|                               | § |                                    |
| <i>Defendant,</i>             | § |                                    |
|                               | § |                                    |
| ASTRAZENECA PHARMACEUTICALS   | § |                                    |
| LP, and ASTRAZENECA UK LTD    | § |                                    |
|                               | § |                                    |
| <i>Intervenor-Defendants.</i> | § |                                    |

**ORDER**

Before the Court is Daiichi Sankyo Company, Ltd.’s (“DSC”) Motion to Compel the Deposition of Clay Siegall, Ph.D (Dkt. No. 178), Seagen Inc.’s (“Seagen”) Motion to Compel the Deposition of Sunao Manabe (Dkt. No. 186), and Seagen’s Motion to Compel Depositions of Toshinori Agatsuma, Yuki Abe, Yuji Kasuya, and Koji Morita (Dkt. No. 188).<sup>1</sup> On November 10, 2021, the Court held oral argument on the aforementioned motions. This Order sets forth the Court’s rulings announced on the record during said argument.

As set forth on the record, DSC’s Motion to Compel the Deposition of Clay Siegall, Ph.D (Dkt. No. 178) is **DENIED-IN-PART** and **GRANTED-IN-PART**. (Dkt. No. 228 at 15:20–16:5). Accordingly, it is **ORDERED** that DSC may depose Dr. Siegall by written deposition of no more than four questions regarding the reason the collaboration between DSC and Seagen failed.

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<sup>1</sup> Dkt. No. 188 was withdrawn for all named individuals except Dr. Koji Morita. (Dkt. Nos. 223, 227)

As set forth on the record, Seagen's Motion to Compel the Deposition of Sunao Manabe (Dkt. No. 186) is **DENIED**. (Dkt. No. 228 at 15:17–19).

As set forth on the record, the remaining dispute on Seagen's Motion to Compel Depositions of Toshinori Agatsuma, Yuki Abe, Yuji Kasuya, and Koji Morita (Dkt. No. 188) is **GRANTED-AS-MODIFIED**. (Dkt. No. 228 at 33:11–23). Accordingly, it is **ORDERED** that Dr. Morita is to be deposited virtually (i.e., via remote deposition) in Japanese with the ability of a translator to assist the witness either in the United States or another country of his choosing where his deposition is permissible. Said deposition shall occur within twenty-one (21) days from the date of the oral argument and last no more than eight (8) hours, including translation time.

Also before the Court is Seagen's Motion for Leave to Supplement the Record with Deposition of Dr. Naito in Support of Motions to Compel (the "Motion to Supplement"). (Dkt. No. 222). Having resolved the underlying motions to compel, Seagen's Motion to Supplement is hereby **DENIED-AS-MOOT**.

**So ORDERED and SIGNED this 16th day of November, 2021.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE